

**Virginia Board of Counseling
Minutes
February 28, 2003**

TIME AND PLACE: The meeting was called to order at 10:15 a.m. on February 28, 2003 in conference room 2 of the Department of Health Professions, 6603 W. Broad Street, 5th floor, Richmond, Virginia.

PRESIDING: Rosemarie S. Hughes, Ph.D., Chair of the Board presided.

MEMBERS PRESENT: Abigail C. Barnes
Timothy Clinton, Ed.D.
Barbara M. Chrisley, Ph.D.
Maurice Graham, D. Min.
Howard R. King, Jr. Ph.D.
Janice F. McMillan, Ph.D.
Eric T. Scalise
Pamela Siegel
Natale Ward

MEMBERS ABSENT: Kevin Doyle, Ed.D.
Alan W. Forrest, Ed.D.
Jack Knapp, D.D.
Lynnette L. Shadoan

STAFF PRESENT: Evelyn B. Brown, Executive Director
Benjamin Foster, Deputy Executive Director
Joyce D. Williams, Administrative Assistant
Howard Casway, Esq. Assistant Attorney General
Robert A. Nebiker, Director, Department of Health Professions
Donna Whitney, Intervention Program Manager, Department of Health Professions

PUBLIC COMMENT:

There was no public comment.

APPROVAL OF MINUTES:

The minutes of August 22-23, 2002 were approved. The minutes of November 22, 2002 were approved with a correction.

REPORTS:

Chair

Dr. Hughes summarized the activities of the Regulatory/Supervision/Legislation Committee.

Legislation

Mr. Nebiker gave an overview of the legislative bills the agency is tracking. Mr. Nebiker also gave an in depth analysis of House Bill 1441.

Virginia Health Practitioners Intervention Program

Ms. Whitney gave a summary of the Health Practitioners Intervention Program and discussed the changes in the program. Ms. Whitney also distributed an orientation booklet for the Board's information.

Regulatory/Supervision/Legislation

Dr. McMillan discussed submitting a Pre-NOIRA to remove the CORE programs from Section B5 of Chapter 18 VAC 115-20-52 of the Regulations Governing the Practice of Professional Counseling and Mr. Nebiker's questions and concerns about the proposal. Dr. McMillan said that the Committee will address Mr. Nebiker's concerns, and with his approval the submission of the Pre- NOIRA can be filed.

The Time-limited Waiver for the Licensed Substance Abuse Treatment Practitioner (LSATP) became effective February 26, 2003 and will end on February 25, 2004.

Dr. McMillan discussed the Certified Substance Abuse Counselors and Certified Substance Abuse Counselor Assistants regulations. A motion was made by Dr. Clinton, seconded by Mr. Scalise and unanimously carried that the Board adopt the final regulations governing the Certified Substance Abuse Counselors and Certified Substance Abuse Counselor Assistants. The regulations are attached as a part of the minutes.

Dr. McMillan discussed the draft regulations for continuing competency for Licensed Professional Counselors, Licensed Marriage and Family Therapists, and Licensed Substance Abuse Treatment Practitioners. The requirements for inactive license status were also included. There were minor changes made to the regulations. A motion was made by Dr. McMillan on behalf of the Committee and unanimously carried that the Board adopt the amended proposed regulations

for continuing competency for the inactive license. The motion passed unanimously.

Credentials

Dr. King reported on the credentials reviewed at the Credentials Committee meeting held on February 27, 2003. The report is attached as part of the minutes.

Dr. King reported that the Committee recommended that the Board notify the American Academy of Health Care Providers in the Addictive Disorders, that the Certified Addiction Specialists (CAS) credential cannot be recognized by the Virginia Board of Counseling as being equivalent to the Certified Substance Abuse Counselor credential because the education requirements for the CAS are not comparable. This organization will also be advised that the CSAC does not include treatment of eating disorders, pathological gambling and sex addiction.

The Committee also recommended that individuals who have completed an internship of less than 600 hours be allowed to use additional postgraduate supervised experience hours beyond the 4,000 hours to compensate for the hours they are lacking in the internship when the requirement to complete a 600-hour internship causes a hardship.

The Committee's report was accepted.

Discipline

Dr. McMillan reported that the Board has 13 complaints in Enforcement and five cases at Board level. She further reported that one case is in the Administrative Proceeding Division for preparation of a notice of informal conference and two informal conferences have been held since the last Board meeting.

Dr. McMillan advised that the Board should update and clarify the Standards of Practice in the regulations. The Regulatory, Supervision and Legislation Committee members will examine the Standards of Practice and ethics from other professional organizations with the purpose of preparing a Pre-NOIRA.

Examination

Dr. Hughes reported on the following examinations:

CSAC EXAM ADMINISTERED ON OCTOBER 26, 2002:

- 108 WERE EXAMINED
- 88 (81.4%) PASSED
- 20 (18.6%) FAILED

CCMHC EXAM FOR THE LPC ADMINISTERED ON OCTOBER 19, 2002:

- 76 WERE EXAMINED
- 71 (93.4%) PASSED
- 5 (6.6%) FAILED

It came to the Examination Committee's attention that the pass rate for this examination was higher than usual. The Examination Committee will contact the Center for Credentialing and Education, the Board's application review and examination vendor, for clarification if the next administration of the CCMHC is also higher than normal.

E-MAC EXAM FOR THE LSATP ADMINISTERED ON OCTOBER 19, 2002:

- 1 WAS EXAMINED
- 1 PASSED (100%)

Dr. Hughes reported that the Regulatory/Supervision and Legislation discussed a Board-approved examination for those individuals applying under the time-limited waiver for the LSATP. The Committee held a telephone discussion with Dr. Tom Clawson, President of the National Board of Certified Counselors (NBCC), the Board's examination vendor for the E-MAC. He informed the Board that the NAADAC- MAC and the E-MAC were developed together from the same job analysis. However, it is time to do a new job analysis and NAADAC may not participate in this new development. Dr. Clawson also emphasized that a masters degree is a prerequisite for taking the E-MAC. Several individuals who want to get the LSATP through the time-limited waiver do not have a masters, and NAADAC allowed them to take the test. However, NBCC would not allow any individuals to take the E-MAC without a masters degree. The Regulatory/Supervision/Legislation Committee recommended that for the time-limited waiver applicants the two tests will be considered as equivalent, and either one will be accepted. All other applicants for the LSATP must take the E-MAC through NBCC. The Board accepted this recommendation.

Public Relations

Mr. Scalise reported that the Board of Counseling's Winter-Spring newsletter has been published.

Board of Health Professions

Ms. Brown distributed a copy of the report of BHP's last meeting provided by Dr. Knapp.

Executive Director

Ms. Brown informed the Board of the new travel policy to submit a voided check or printed deposit slip to Department of Accounts so that reimbursed checks can be direct deposited.

NEW BUSINESS:

American Association of State Counseling Board (AASCB)

Dr. McMillan distributed a handout on AASCB's National Credentials. The document is a draft on portability policies and procedures. She asked that the Board review the information and be prepared to discuss it at the Board's May 15-16, 2003 Board meeting.

Board of Counseling May Board Meeting

The next meeting of the Board will be two full days. Some of the agenda items will be portability, the Board's current Standards of Practice, and election of officers.

Credential Committee

The Committee recommended that individuals who hold a national certification acceptable to the Board of Counseling for the Certified Rehabilitation Provider credentials and are currently being endorsed in be allowed to submit only an application form and verification of their national certification by examination. These individuals have already completed a graduate degree and have verified equivalent supervision to receive the national certification. The recommendation was accepted.

The meeting adjourned at 2:44 p.m.

Rosemarie S. Hughes, Ph.D. Chair

Evelyn B. Brown, Executive Director

